

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

SUSAN SOTO PALMER, *et al.*,

Plaintiffs –
Appellees,

v.

STEVEN HOBBS, in his
official capacity as Secretary of
State of Washington, and the
STATE OF WASHINGTON,

Defendants –
Appellees,

and

JOSE TREVINO,
ISMAEL G. CAMPOS, and
State Representative ALEX
YBARRA,

Intervenor-
Defendants –
Appellants.

No. 23-35595

D.C. No. 3:22-cv-05035-RSL
U.S. District Court for
Western Washington,
Tacoma

DECLARATION OF JASON B. TORCHINSKY

I, Jason B. Torchinsky, declare as follows:

1. I am an attorney licensed to practice law in Virginia and the District of Columbia and am admitted to the bar of this Court. I am a

partner at the law firm of Holtzman Vogel Baran Torchinsky & Josefiak PLLC, and represent the Intervenor-Appellants, Jose Trevino, Ismael G. Campos, and Representative Alex Ybarra (“Intervenors”).

2. Intervenor move for an extension of the due date for Intervenor’s opening brief to 7 days after this Court denies Intervenor’s motion to hold briefing in abeyance, filed January 5, 2024, should this Court deny the motion. ECF No. 48. (If this Court grants the motion, Intervenor’s consolidated brief addressing merits and remedial issues from the district court’s remedial decision forthcoming in March would be due 30 days after that remedial decision.)

3. Under the briefing schedule initially set by this Court and extended pursuant to Intervenor’s streamlined request to extend time to file the brief, Intervenor’s opening brief is currently due January 22, 2024. ECF No. 47.

4. An extension of time is warranted by this Court’s current consideration of Intervenor’s motion to hold briefing in abeyance. If this Court denies the motion to hold briefing in abeyance later than January 15, 2024, a seven-day window from that denial is reasonable for counsel

to account for this Court's resolution of the motion for an abeyance and to brief the appropriate scope of issues in light of that decision.

5. Counsel for Intervenors have diligently been preparing their opening brief and will file their opening brief within the time requested.

6. Counsel for the State of Washington and the Washington Secretary of State take no position on this request. Plaintiffs oppose this request.

7. The court reporter is not in default with regard to any designated transcripts.

I declare under penalty of perjury that the foregoing is true and correct.

s/ Jason B. Torchinsky
Jason B. Torchinsky

EXECUTED ON January 14, 2024.